

Saguache County Board of Commissioners met in regular session  
Tuesday, April 22, 2008 with the following present:

Sam Pace, Chairman  
Linda Joseph, Vice Chairman  
Mike Spearman, Commissioner  
Ben Gibbons, County Attorney  
Wendi Maez, Co-Administrator  
Lyn Zimmer, Co-Administrator  
Melinda Myers, Secretary and Clerk to the Board

Meeting called to order by Chairman Pace at 9:03 A.M.

Under Additions or Deletions to the Agenda:

1. Add Tom Blunt report on the KIA/MIA event to Admin time.
2. Add Executive session for legal issues.

**Spearman moved to enter into Executive Session at 9:12 A. M. for personnel purposes under CRS 24-6-402(4)(f)(i) and for legal purposes under CRS 24-6-402 (4)(b). Joseph seconded the motion. The vote was three Ayes.**

**Joseph moved to return to regular session at 9:37 A. M. Spearman seconded the motion. The vote was three Ayes.**

**Joseph moved to approve the agenda as amended. Spearman seconded the motion. The vote was three Ayes.**

Reading and approval of minutes:

**Spearman moved to approve the minutes of April 15, 2008. Joseph seconded motion. The vote was three ayes.**

Review of Mail:

1. **Rio Grande Headwaters Land Trust** sent the April 2008, Vol. IV "The Rio Grande Initiative". (4-15)
2. **Rio Grande Water Conservation District** sent the April 2008 Ground water table measurements. (4-15)
3. Letters in regards to Oil and Gas have been received by:
  - a. Mr. & Mrs. Eric Dyer (Violet) (4/15/08)
  - b. Frank & Cindy Walter (4/16/08)
  - c. William & Rosemary Ligon (4/16/08)
  - d. Robert T. Flynn, President of Riverfront at South Fork Ranches. (4/21/08)
  - e. Kelsey Hauck (4/22/08)
  - f. Larain and Ralph Matheson (4/22/08)
4. **Town of Crestone** sent a letter recommending Steve Storm for the position of Alternate Member at Large to the Crestone/Baca Sub-Area Planning Commission.

Maez will work on changing the Land Development Code to allow for an alternate to the Town of Crestone.

5. **Jeffery P. Robbins** sent a courtesy copy of La Plata County's Application for Party Status to be eligible to comment on the Oil and Gas leases on public lands.
6. **Stephen Crawford** sent a copy of a protest letter that was mailed to Karen Zurek, Chief Fluids Minerals Adjudication, in regards to the May 8, 2008 Lease Sale Parcels in Rio Grande and Saguache Counties of Colorado.
7. **Baca Grande Baca Grande Property Owners Association** sent the April 2008 Newsletter, Volume 15, Number 2. (4/21/08)
8. **Upper Gunnison River Water Conservancy District** sent the April 28, 2008 Agenda. (4/22/08)
9. **Colorado Counties, Inc.** sent the Audit Report for the year ending December 31, 2007 which was approved at the April 11, 2008 board meeting. (4/22/08)

**Introduction of Guests:** Doug Larsen – Crestone Eagle; Clem Gasseling, Don Geddes, Kelly Courage, Richard Enzer & Steve Winn – Crestone Youth Plaza, Inc.; Jeff Shook – Planning Commission; Lisa Cyriacks – CBPC; June Savage, May Engquist, Kelsey Houch, and Kathryn Van Note – San Luis Valley Citizen Alliance; Chella Coleman & Jarrod Helmick – Saguache County Housing; Charlie Spielman & Richard Crites – Monte Vista Economic Development Corporation

#### **Commissioners' Reports-Updates of Meetings:**

**Sam Pace** reported:

- April 16- Attended the Brain Development training presented by Nursing Services in Saguache. Very well attended notably by more youth than earlier meetings and very good information.
- April 17- Attended the South Central Seniors meeting in Alamosa.
- Attended the BGPOA meeting. Expect to receive a letter from Dave Chubirka about the status of the land at the end of Camino Del Rey; is Class II greenbelt and the BGPOA Board cannot grant an easement due their Covenants and Restrictions. However, if the county has a road Right Of Way it just needs to follow the necessary procedures to identify and put the road in the best place.
- April 18 – Attended the Annexation Feasibility meeting in Crestone. The BOCC role is to provide information and just to stay abreast of the process. Next meeting is on Friday the 2<sup>nd</sup> of May.
- April 19 – Attended a luncheon at the Crestone Mountain Zen Center.
- Spoke with Randy Arredondo - Crestone was doing a spring cleanup along with free dump day and he arranged for the Town maintenance man, Jim Holmer to take a load on Friday as his big trailer was already full.

**Linda Joseph** reported:

- April 19 - Attended a luncheon at the Crestone Mountain Zen Center.
- April 16 - Attended the Gunnison Basin Sage Grouse Strategic Committee regular meeting and Joint work session with the local Working Group. The Strategic Plan is in final review.
- Worked on comments to the draft BLM lease protest letter prepared by Attorney Gibbons, and on a proposed letter of interest to the BLM State Director, regarding collaborative, regional, strategic planning consultations with USFS/BLM on energy development on private and public lands in Saguache County.

- Prepared a draft County Update Column for the Crestone Eagle.
- Completed the appointment application to continue on the SEMTAC (State Emergency Medical & Trauma Advisory Council) and will submit tomorrow.

**Mike Spearman** reported:

- Chaired a meeting on the trails issues in the Baca concerning the public lands access. All the stakeholders were at the table and some progress was made. Concerns were noted and possible options discussed. Another meeting is set in June.
- Participated in free dump day on Saturday, April 19<sup>th</sup>.
- Worked on the Sun station sighting issue.
- Will be going to Washington D.C. next week to meet with Senator Wayne Allard to find funds to built the new road into the Sand Dunes National Park to the parking lot.

**Lynn Zimmer and Wendi Maez** - CO-Administrators:

**Joseph moved to set the dates from the June BOCC meetings to June 3, 10, and 17, 2008. Spearman seconded motion. The vote was three ayes.**

- Administration has received notice that the Board does not need to take the IS-300 class in Gunnison so there is no need to change the regular June Board meeting schedule. Kimberly Bryant OEM will be setting up a class for the Board at a later date.
- Julia McTegue appraiser from Taos has recommended a security measure for the Library picture. The cost for the frame mount and tool will be about \$5.00. Administration will take photos of the other Library paintings and then order however many devices we will need to secure the paintings.
- The Museum has been working on inventory for appraisal purposes.
- Sales Tax Grant letters are being worked on to be sent out to applicants.
- Plumbing for Courthouse has been put off till now, when the weather warmed up. Vendola is planning on working up a bid for the heating system in the Courthouse.
- Maez will check with CenturyTel about the phone lines to the clinic. They will have to run the lines to establish where they go.
- Discussed the letter to the BLM, for the County to partner with them on renewable energy projects.
- **Tom Blunt** – County Veterans Officer reported on Mount KIA/MIA from the meeting held on April 20<sup>th</sup>. Blunt is concerned that the event has gotten too large and commercial. The original organizer has dropped out after getting the mountain designated. Blunt does not want to participate anymore. The numbers of attendees could range from 2,000 – 5,000 as it has been announced nationally, but it is the first year of the event so there is no way of knowing. Sheriff Norris voiced concerns on the logistics of large number of people. He would like to see more planning so he can ask for back up if needed. Jeff Shook from the County Planning Commission is assisting the group to organize the event. Land Use is working on a Special Event Permit.

Break

**Wendi Maez** - Land Use Administrator:

**Joseph moved to approve the Zoning change from Residential to Open Space for the following lots: 1064-1066, 342 & 343, 920, 910, 1581 – 1583, 1067 & 1068, 422, 423, 424CR, 429, 439, 437, 783 and 74 – Baca Grande Grants Unit One and Lot 1667C, Chalet Unit One, Portion of Lot 3925 Chalet Unit Two, Lots 106C, 111, 112C, 120C, 129C, 251, 252C, 409C, 456C and 576C Mobile Home Estates. Spearman seconded the motion. The vote was three Ayes.**

- Crestone/Baca Land Trust – Zoning change request from Residential to Open Space for lots 1064-1066, 342 & 343, 920, 910, 1581 – 1583, 1067 & 1068, 422, 423, 424CR, 429, 439, 437, 783 and 74 – Baca Grande Grants Unit One and Lot 1667C, Chalet Unit One, Portion of Lot 3925 Chalet Unit Two, Lots 106C, 111, 112C, 120C, 129C, 251, 252C, 409C, 456C and 576C Mobile Home Estates. Crestone/Baca Planning Commission recommended approval of this request at their April 9, 2008 meeting.
- The Saguache County and Crestone/Baca Planning Commissions have completed the Oil & Gas regulations at their April 16, 2008 meeting and have recommended approval. A letter was sent to each Board member along with the regulations for review. The regulations need to be reviewed by legal experts and the Board will have a work session on Monday, May 12th. Chairman Pace will set the timetable for public hearings in May after the draft is finalized. Lisa Cyriacks from the Crestone/Baca Planning Commission read a letter from the PC's explaining the recommendations and Attorney Gibbons will prepare a resolution to address the Unique and Irreplaceable Areas Designation.
- The Saguache County and Crestone/Baca Planning Commissions have completed Temporary Living Quarters regulations (to be included in Article IV of the LDC) and recommended approval at their April 16, 2008 meeting.
- Crestone Youth Plaza – Variance request to place a structure older than 20 years on a tract of land located within the Baca Grande Subdivision, location to be determined. The Crestone/Baca Planning Commission has recommended approval of this request at their April 9, 2008.

**Joseph moved to approve the Conditional Use permit for the Crestone Youth Plaza with recommended restrictions and to operate in the hours 8am to 8 pm Sunday thru Thursday and 8am to 10 pm Friday and Saturday on Lot 66; Baca Grande Chalet Unit I. Spearman seconded motion. The vote was three Ayes.**

- Crestone Youth Plaza applicant and Guy Whitaker, landowner of Lot 66 – Baca Grande Chalet Unit One, are requesting a Conditional Use permit for the Crestone Youth Plaza to be placed on the property. The Crestone/Baca Planning Commission did recommend approval of this request with a 3 to 2 vote. The conditions placed on the request are: hours of operation – 4pm-8pm, building must be sound proof, adult supervision to be both in and out of the building with a ration of 1 adult per 8 children, move children to park for large activities, if

- vandalism occurs in neighborhood and it can be related to the Youth Plaza the Sheriff's office will notify the Land Use Department, 4 parking places established on property with additional parking in neighborhood, carpooling is encouraged, walking, riding bicycles are also encouraged, occupancy will be limited to 40 people including staff and annual review or review upon receipt of a complaint.
- Maez has received a copy of an example of an emergency preparedness plan from Lexam Drilling (Jack Clark) as requested.

Adjourned for lunch at 12:02 P.M.

Meeting reconvened at 1:08 P.M.

**Randal Arredondo** – Supervisor Road & Bridge and Land fill report:

- Reported on the locations of Excel and SLVREC substations in the County.
- Spoke with USFS personnel on the entrance to the Great Sand Dunes National Park, and they have given their preferences for the access. The County can follow through by having the right of way surveyed and replatted. Arredondo will contact Davis Engineering to survey the proposed road.
- Asphalt schedule is being reviewed due to the hard winter, fuel prices and road damage.
- The new asphalt hot plant is not on line yet as the electrical has to be improved at a cost of approx. \$20,000.
- County Road LL57 is not County maintained and a local hang gliding group who uses it wants to upgrade the road themselves. Attorney Gibbons suggested that any agreement be written to assure quality control and mitigate liability. He will get an agreement to Arredondo.
- Arredondo brought in a photo of a large yellow diamond sign on County Road T at a curve on Pete Grover's land. There is a safety concern and Grover's Conditional Use permit did not allow for any signage.
- John Baxter has moved a mobile home to the side of a county road without a permit. He has violated state statutes for moving a mobile home without a moving permit and parking on the road right-of-way. Sheriff Norris will cite Mr. Baxter.
- Free dump day was a great success.

**Pace moved to positively consider the future sale of the proposed solar research site at the County gravel pit on Road B in order to further development of solar energy in Saguache County. Joseph seconded the motion. The vote was three Ayes.**

- Spearman asked Arredondo how much land is taken up by the gravel pit and confirmed that there are 80 acres available for a solar facility.

**Spearman moved to convene as the Saguache County Department of Social Services Board at 1:50 P.M. Joseph seconded the motion. The vote was three Ayes.**

**Jeannie Norris** - Social Services Director:

- The TANF case count is ten cases. There were nine child-only cases, and forty-five med-only cases. We had 381 food stamp cases, 101 old-age-pension recipients, and 23 aid-to-the-needy disabled cases. Diane Romero and Pearl Jiron attended a Colorado Works training which provided vital information about how to write contracts with our TANF clients, as well as program design information which will be helpful in the development of our new Colorado Works Plan. The new plan will allow us to broaden use of TANF funding.
- Cheers/Blue Horizon has one TANF client and two adult basic education students. The clothing portion of Cheers was able to assist with clothing for a foster child who had absolutely none. The facility was also able to assist us with "car kits" of clothing for caseworkers in the event they need to receive children from homes contaminated by methamphetamines.
- The Child Protection Unit had 17 referrals during March, of which 15 were accepted for investigation. The Unit has 58 open child protection cases, and 5 open adult protection cases. The Child Fatality Review was released last week in Denver, and is available in our office for anyone who would care to review it. We will be hearing more in the near future concerning funding response to its findings.
- Julie Westerman and Director Norris will be attending training on Friday regarding Eldercare law, which will address guardianship, Medicaid, and other issues for our increasing need to assist the seniors in our population.

**Joseph moved to approve the expenditure of \$1,000 per month to the Monte Vista Economic Development Corporation to fund the transit authority group. Spearman seconded the motion. The vote was three Ayes.**

- The SLV Directors met Monday, April 21 to consider contracting with the proposed transit authority as a group. At least two other areas in the state have adopted this method of service delivery to clients, and we have their contracts as examples of approved agreements. The Monte Vista Economic Development Corporation will serve as the lead agency to coordinate ridership, billing, insurance coverage, employee training issues, etc. Alamosa and Rio Grande would pledge \$24,000 each, and Conejos, Costilla and Saguache Counties would commit \$1,000 per month for a total of \$84,000 to enable the transit companies to stay in operation while building their routes in previously unserved areas. Costilla County has been using Alamosa Bus Co., with good success as TANF client transportation in addition to worker transportation to and from jobs in Alamosa.
- The SLV Directors has also been successful in bring Conejos County back into the Signal contractual arrangement for substance abuse counseling and testing. Funding levels as a result of having all six SLV counties on board will result in more ability to test clients as well as hiring an additional counselor which is needed.
- The transfer from Saguache County State TANF reserves should be completed any day, and the MOE funds will be transferred to us. Lake County accepted our offer of transfer with their profound thanks.

**Spearman moved to accept the bid for removal of asbestos in the County Annex building for \$19,500.00 from Sam Valdez. Joseph seconded the motion. The vote was three Ayes.**

- Sam Valdez, the contractor who is certified to do asbestos removal, has submitted a revised bid to remove asbestos from beneath the DSS building, as well as the required 12 inches of soil. He could do that work now, and estimated that two weekends would be required for completion.

**Spearman moved to approve the purchase of computers for the Social Services offices in Center. Joseph seconded the motion. The vote was three Ayes.**

- The State replaced ten computers, one of which is a laptop. They upgraded the remainder of the computers in order to receive and run the new programs. There are four computers in the Center office which are only marginal at this point, and the programmers recommend that they be replaced. We would like to replace them, and purchase three laptops for the Child Welfare Unit so that reports could be completed and entered into the system while workers are on the road.

**Joseph moved to enter into Executive Session at 2:14 P. M. for personnel purposes under CRS 24-6-402(4)(f)(i) and for legal purposes under CRS 24-6-402 (4)(b). Spearman seconded the motion. The vote was three Ayes.**

**Spearman moved to return to regular session at 2:25 P. M. Joseph seconded the motion. The vote was three Ayes.**

**Spearman moved to adjourn the Saguache County Department of Social Services Board and return to regular meeting at 2:26 P.M. Pace seconded. The vote was two Ayes.**

**Penny Bruce - Library Administrator**  
Programs –

- The Headstart students could not come to the library due to snow on the last two Thursdays, which meant that Bruce took the programs to the Headstart instead, and it also meant delaying our seed-planting project. We hope to see the pre-schoolers at the library this week so we can launch our summer garden project and spark their interest in coming to the library over summer vacation to watch their plants grow.
- In the last two weeks have visited Mountain Valley Middle and High Schools and have now given presentations to every student in their classrooms, in order to launch our Teen Book Club program. The students showed varying degrees of interest, but 26 of the high schoolers and thirteen from middle school signed up for future announcements about book choices and meeting times. The Saguache (Adult) Book Club held their monthly meeting last Sunday, April 20, to discuss “Animal, Vegetable, Miracle”, Barbara Kingsolver’s latest non-fiction about her family’s year of eating locally. The eight members present found so much to discuss, the meeting lasted over two hours. Next month we will be deciding on our choices for future reading by having each member bring some selected titles to vote on.
- Our volunteer tax advisor, Glenn Alexander, answered questions every Tuesday afternoon all month and always drew a crowd, the “economic stimulus” having made filing extremely popular this year. Tuesday, April 15, there were still a lot

of people who came to see him, but he's now taking a well-deserved vacation. There will still be tax forms available at the library for the procrastinators.

Fund-raising -

- We received an e-mail up-date from the organization dispersing the Gates Foundation Grants and they are now ready to receive our matching funds and start sending out the grant money. The message gave specific instructions about required documentation and the next steps to take, which I have shared with Kate Vasha, president of the Friends. While there was no mention of a deadline in the e-mail, we want to get through this process as quickly as possible.
- We discovered at the ALA web-site that their summer reading program grant was given to a library in North Carolina, which means we didn't get that one either. On April 11 another grant application for \$10,000 was submitted to Bank of the West to deserving non-profits. We should hear news of that one in six weeks.
- On April 19 the library held its first annual National Library Week open house/book sale/bake sale sponsored by the Friends of the Library, who also supplied the baked items. We did a brisk business all day and earned \$375, which will go towards our matching funds for the Gates grant.

Friends of the Library

- The Friends will be having a meeting in May on a date that has yet to be determined, but plans for the Memorial Day festivities need to be refined and set in motion to be ready for the big celebration. In addition to our usual offering of used books for sale, we plan to also have booth space where we'll be selling bedding plants and possibly home-made bread.

Break

**Chella Coleman - Housing Director:**

**Spearman moved to convene as the Housing Board at 2:37 P.M. Joseph seconded. The vote was three Ayes.**

**Joseph moved to adjourn the Housing Board and return to regular meeting at 3:13 P.M. Spearman seconded. The vote was three Ayes.**

**Charlie Spielman & Richard Crites – Monte Vista Economic Development Corporation:**

- Public Transit in the Valley, The MVEDA has been appointed by CDOT as the interim Transit Agency for the San Luis Valley. They brought a draft of the Transit agreement for the Board to sign, Attorney Gibbons will review it.



**Wendi Maez - Land Use report continued:**

**Pace moved to approve the protest letter to BLM about the Oil and Gas Leases on public lands. Joseph seconded the motion. The vote was three Ayes.**

- Discussion on the final version of the County's protest letter to the BLM on the Oil and Gas leases.

**Spearman moved to approve the resolution to change the Zoning from Residential to Recreational and Community Services on the Park Site and Fire Department Site in the Baca Grande Subdivision. Joseph seconded the motion. The vote was three Ayes.**

- Maez has prepared two Zoning change resolutions to change the Park site and Fire Department site in the Baca Grande Subdivision from Residential to Recreational and Community Services. This is to correct the original zoning map that was created in 1999.

**Joseph moved to approve the consolidation for William & Lois Owen on Baca Grande Chalets Unit I, Lots 178 and 179. Spearman seconded the motion. The vote was three Ayes.**

- Lot Consolidation request for William E. and E. Lois Owen – Lots 178 and 179, Baca Grande Chalet Unit One. Crestone/Baca PC recommended approval of this request at their April 9, 2008 meeting.

**Joseph moved to approve the consolidation for Bruce Becker on Baca Grande Grants Unit I, Lots 1399, 1400 and 1401. Spearman seconded the motion. The vote was three Ayes.**

- Lot Consolidation request for Bruce Becker – Lots 1399, 1400 and 1401, Baca Grande Grants Unit One. Crestone/Baca PC recommended approval of this request at their April 9, 2008 meeting.
- The new Special Event Permits applications need to be developed and a response period and range of notification for the adjacent property owners needs to be determined. There are several events coming up which may need some kind of permitting. Maez and Attorney Gibbons will work on the structure.

**Joseph moved to enter into Executive Session at 4:05 P. M. for legal purposes under CRS 24-6-402 (4)(b). Spearman seconded the motion. The vote was three Ayes.**

**Spearman moved to return to regular session at 4:14 P. M. Joseph seconded the motion. The vote was three Ayes.**

**Spearman moved to adjourn at 4:15 P.M. Joseph seconded. The vote was three Ayes.**

Respectfully Submitted,  
Melinda Myers Secretary to the Board of County Commissioners

Minutes Approved May 6, 2008

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Chairman of the Board

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Attest

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Commissioner

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Commissioner